

# HOUSE BILL 483 “LET THEM SPAWN” FACTS & ISSUES



## OVERVIEW

House Bill 483 “Let Them Spawn” offers a straightforward and common-sense approach to fisheries management in North Carolina through the use of minimum size limits or slot limits for several recreational and commercial fish species to address critical declines. The bill would ensure that **75 percent of fish harvested would have had the opportunity to spawn at least once**. Using the 75 percent maturity threshold (L75) for minimum size limits is more conservative than current practice and will guide the process of fishery management plan development.

“Let Them Spawn”, would provide critically needed **protection for the Atlantic croaker, kingfish, striped mullet, spot, southern flounder, and bluefish.**

The species selected were based on scientific analysis that indicates these species are in trouble and are experiencing some or all of the following:

- declining biomass
- declining landings
- reduced age structure
- declining indexes of abundance

**“Let Them Spawn” is about resource-protection** – these fish species are important to the commercial and recreational harvest sector, and also to the ecosystem as a whole.

## ISSUES

### H483 does NOT eliminate any fishery

- Red Drum would not be impacted by the bill because slot limits (as allowed by the bill) are already in place. However, due to confusion with interpretation on fisheries that may or may not be impacted by H483, Rep. Yarborough amended the bill by clarifying that L75 will be the guiding principal for **ONLY** the six species listed in the legislation.
- With the amendment offered by Rep. Yarborough, red drum, striped bass, menhaden and any other species not listed in the bill are not impacted.

### H483 is NOT a “ONE SIZE FITS ALL” approach to fisheries management

- Size limits are used worldwide, particularly in fisheries that involve both commercial and recreational interests, to protect fishes in order that they spawn at least once before being harvested.
- Section 1 of H483 specifically allows for tailoring species specific management measures.
  - “This subdivision shall not apply if the Fisheries Director determines that the species under consideration has a unique life cycle and maturity characteristic that makes the minimum size limit inappropriate”.

### H483 does NOT negatively impact female spawning Southern Flounder

- Section 1 of H483 provides for a minimum size limit **NOT** to apply if the Fisheries Director determines that the species under consideration has a “unique life cycle and maturity characteristics that would render the management measure inappropriate”.

- In such cases, “the Fisheries Director shall instead propose slot limits to protect the adult spawning stock”. This language was developed with southern flounder specifically in mind and is precisely the approach that has been successfully employed in managing red drum that has similar life cycle and maturity characteristics.
- Additionally, the current size limit of 15” for the southern flounder **IS NEGATIVELY IMPACTING** the fishery – this is because male southern flounder seldom attain 15” and the majority of female southern flounders at 15” are immature fish that have never spawned.

#### **H483 will NOT result in more fish being killed**

- A size limit does result in more fish being thrown back. The species contained in H483, however, have high survival rates after being caught and released.
- For example, spot currently have no size limit and most fish harvested are kept. Approximately 10% (the average release mortality estimates for most inshore marine fishes) of fish released die. Consequently, 90% survive.

#### **H483 will NOT pose interjurisdictional issues**

- The species listed in H483 either are managed by the state, the Atlantic States Marine Fisheries Commission (ASMFC), or Federal Councils that have little to no management measures in place.
- As is typical with state regulations, states may adopt stricter measures than federal regulations in place through the ASMFC and the mid-Atlantic Council. In fact, North Carolina fishery management plans and resulting rules for red drum, spotted sea trout (speckled trout), and river herring are all more restrictive than existing ASMFC plans.
- Southern flounder, striped mullet, and kingfishes are managed solely by the state and are not subject to outside jurisdiction.
- Spot and Atlantic croaker are managed under a plan by the ASMFC that contains no harvest restrictions or protections. NC could impose stricter standards, but hasn’t to date.
- Bluefish are managed jointly by the ASFMF and the mid-Atlantic council with no size limits but a strict quota is in place that limits harvest. NC could add size limits – which is exactly what H483 would accomplish.

#### **H483 WILL ALLOW bait fish to be harvested**

- Size limits on fish species can indeed impact their use as bait when used whole or cut up for bait.
- Five of the species listed in H483, spot, Atlantic croaker, kingfishes, bluefish, and southern flounder may still be fileted with the meat used for bait as long as the fish are of legal size.
- Striped mullet may be fileted AND also cut up for bait as long as they are of legal size. They are exempt from the mutilated finfish rule due to their importance as bait.
- Also, numerous bait alternatives are available and unaffected by the bill (e.g., other fish species, shrimp, blood worms, squid, artificial, and synthetic baits). Some of these alternatives are considered superior to the species in the bill.
- The need for conserving these juvenile fish is important because of the significant decline in the fisheries. H483 provides for a slot limit that could allow limited quantities of these species to be retained for bait and used whole (dead or alive), while still fulfilling the intent of the legislation.